

EXHIBIT

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MSP INTERVIEW
OF
SERGEANT CHARLES FUNK
REGARDING IA INVESTIGATION OF CASE #16-0047
August 22nd, 2016

Sgt. Paul Beasinger August 22nd, 2016, at the McDonalds, Okemos Exit in an attempt to interview Sergeant Charles Funk from Lansing PD.

MSP Alright, I am just here to ask you about a traffic crash that occurred got a UD-10 that shows that on August 8th, 2016, you were making a right turn off of Pennsylvania onto Jolly and there was an impact between your vehicle and a guy in a wheel chair. You were driving that date and time.

Charles Funk Yup.

MSP Patrol Car #56 by your department's numbering system. Does that sound right to you?

Charles Funk Yup.

MSP Okay, tell me about what happened.

Charles Funk Well I was on Penn. and Jolly, getting ready to turn right. Light turned green. I turned right and I catch the curb with my wheel as I'm completing my turn and as I clear the intersection and I'm moving over closer to the curb I look over my back and I see this guy sitting on his butt in the street. So I stop my car, go back there. As I'm walking up, he's like... you know it's hard to tell what he is saying but he's like you almost hit me, you almost hit me and so I'm like okay. So I right him in his wheel chair, get him over to the curb and I'm like "are you okay?" He's like yeah cause at first he was really pissed. Are you okay, are you okay, I'm fine. Does your wheel chair work? Yeah it works. Do you want LFD? No. Are you sure you don't want any person to come check you out? No. Do you want to go to the hospital? No. I just ran down the gamete and just, report, ambulance are you okay? Wheel chair work? I offered him a ride home, no. Do you want a CATA van, want them to come get you and take you home, he's like no. Well where are you going? He said something, I don't know what he said and like, literally, at the time when he left cause his biggest thing... he kept saying he had the right of way and I'm like no. So we literally sat there and I showed him the light and I'm like, see how it is green for me but for you as a pedestrian it's red and so when he sees that he seems fine. I mean literally, went from being pissed he was like really good and we were done. I can't cover all the bases if he needed anything then he rides off and were done. Then about, I don't know how long ago Officer Belill called me and he's like he, Serge, we got a situation, I got a guy here who says he was grazed by a police vehicle at Jolly and Penn and I'm thinking, are you kidding me. So I was like alright, hold on. So I call Anderson, my Lieutenant and I'm like hey, LT this is the deal. This is what happened. Now he obviously wants to change his story about what happened. LT is like okay, were there injuries? I was



like no, I offered, he was like he was fine. So, he's like well go talk to him and basically if everything remains how it was, then you're fine but if there are some extenuating circumstances or he wants to claim something else, put notes in the CAD. I was like, alright, that's fine. So I go meet with this guy and I recorded a couple things with him because I wanted to see why he was cop shopping. Like I said, he had every opportunity with me. If he needed a report, if he needed anything.

MSP You offered to do a report for him?

Charles Funk Yeah, offered everything for him. Like I said he was good. All he... this and I got a lot of trouble because I recorded over my wife's nursing notes on this but... it was blank, the rest of it had stuff written on it...so I said yeah once I showed him that he didn't, he was fine.

MSP For some reason if there...

Charles Funk He is really hard to understand. I'm in the hallway. (Playing tape of Mr. Palmer). This is when we get to the intersection. (Playing tape of Mr. Palmer). So like that he was really apologetic about it. So I don't know what he was telling other people... well, obviously, I know what he was telling other people but he didn't tell me that and I didn't see damage and he seemed really fine so I don't know what changed all that.

MSP At that intersection and we have a traffic engineer's report showing how the light cycle works. You have to activate the crosswalk button in order for that crosswalk to ever change off red. So when he activates that crosswalk button, as soon as the north/south light turns green his light turns light to walk.

Charles Funk It didn't.

MSP You have to activate the button to make it happen.

Charles Funk Okay.

MSP So he pushed the button so at the same time your light turned green, his turned white to walk.

Charles Funk I didn't see that.

MSP You didn't push the button, that's the difference. If you don't push the button then that crosswalk never changes off of red.

Charles Funk Well I'm saying even when I was there.

MSP And I'm asking, did you push the button when you were there?

Charles Funk No.

MSP That's the difference. Okay, but you said you hit a curb?

Charles Funk Yeah.

MSP Going around the corner?

Charles Funk It's a funky curb, I've done it before with my personal car.

MSP Did you make contact with his... did his wheel chair make contact with your car?

Charles Funk Nope.

MSP Not at all? You're 100% on that?

Charles Funk Yeah I went, like I said... I turned, caught the curb, saw him sitting on his butt. Yeah.

MSP Alright, Green Crush, you know that store right there at the intersection? It has excellent surveillance equipment and they got the whole thing on video. Unfortunately you made contact with him.

Charles Funk Are you serious?

MSP I am serious, I am serious. Your patrol vehicle obscures the actual moment of impact. It looks like he hit right about your passenger side rear tire.

Charles Funk Passenger??? Really???

MSP Passenger side rear tire is where the impact happened. But yes, you did. You two did make contact.

Charles Funk Really???

MSP At the intersection, yes sir. Did you, when I went and talked to him, he said he asked you for a report and you told him that he shouldn't have one made because he would be responsible for jay walking and he would be liable for damage to your vehicle.

Charles Funk No, he never asked for a report at all.

MSP He never asked for a report?

Charles Funk Cause I would have been.

MSP Did you ever say that to him? That he would be responsible for jay walking and liable for damage to a police vehicle?

Charles Funk I never, nope. If we were talking about damage to the vehicle but there was no damage to the vehicle. I looked. To me, I didn't see any damage to the vehicle.

MSP I looked too. I didn't see any damage to the vehicle either.

Charles Funk He didn't offer... I mean I offered, he didn't say it. So yeah I didn't, no I would not have said that at all. Cause that's what I told my guys. I'm like, it's just easier to do it. I mean just take the paper that just keeps you from getting into whatever So yeah, had he even said, yeah I want a report, I'd just give him a report, that would have been no problem.

MSP Okay, I watched your in-car video. There is no audio along with that. Do you know why that is?

Charles Funk Audio, like in the car?

MSP Or on a mic. Did you have a microphone or anything?

Charles Funk Yeah, I don't. If we do traffic stops, yeah I have one.

MSP Was it working that day?

Charles Funk Yeah.

MSP Like I said, I've got in-car video but no audio.

Charles Funk Yeah I only use it for like traffic stops. Like when I saw him on his butt, I jumped out and ran back to him.

MSP Okay so when you stop somebody you actually have to take the microphone? Is it just docked in the car?

Charles Funk Yup.

MSP Alright you said that after Officer Belill went out there and then contacted you that when you found out what he was out there for you contacted your Lieutenant, it was Lieutenant Anderson.

Charles Funk M'm.

MSP Was that your first contact with him about this incident?

Charles Funk Yup.

MSP Okay, alright. Do you have any questions for me?

Charles Funk M'm.

MSP Are you aware that there is a specific statute in the motor vehicle code regarding persons in wheel chair or with walking assist devices having the right of way at crosswalks?

Charles Funk M'm.

MSP It's actually a misdemeanor to approach them with your vehicle.

Charles Funk Really, yeah I didn't know that.

MSP I wasn't aware of it previously, but it was brought to my attention and that's what I was asked to investigate. So once I get done putting my report together, I will send it over to the prosecutor's office for them to look at this motor vehicle code misdemeanor. If they decide that they want to do something with this and, frankly, I don't even know what their policy would be. If it's a warrant or just go hand them a traffic ticket. Either way can I give you a call and we can work it out?

Charles Funk Yup.

MSP Alright, do you have any questions for me?

Charles Funk M'm.

MSP Alright, that's me. If you do have any questions or concerns or anything, give me a call. Thanks for your time.

Charles Funk No problem.

Transcribed by Michelle Reddish.

MSP You

Charles Funk Y